

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. 571-273-8300)

On 4/25/08
(Date)

Julie H. Gamotis
Julie H. Gamotis

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Samir S. SHIBAN

Serial No.: 10/796,120

Art Unit: 1793

Filed: March 10, 2004

Examiner: Edward M. Johnson

For: HAZARDOUS GAS ABATEMENT SYSTEM USING ELECTRICAL HEATER AND
WATER SCRUBBER

RECEIVED
CENTRAL FAX CENTER

APR 25 2008

RESPONSE

To the Director of Patents and Trademarks

Sir:

In response to the office action dated March 28, 2008, Applicant provisionally elects Group I claims 1-23 and traverses the requirement for restriction.

Group II claims 24-28 are dependent claims and therefore cannot be restricted, as noted in treaties. The dependent method claims depend from Group I method claim 15 and cannot properly be restricted.

The examiner's stated reasons for restriction are not in accordance with MPEP 806. Because the inventions are related as claimed and are not distinct as claimed, restriction is never proper (MPEP 806.06).